

VZCZCXYZ0005
PP RUEHWEB

DE RUEHLP #0523/01 0581617
ZNY CCCCC ZZH
P 271617Z FEB 07
FM AMEMBASSY LA PAZ
TO RUEHC/SECSTATE WASHDC PRIORITY 2617
INFO RUEHAC/AMEMBASSY ASUNCION 6581
RUEHBO/AMEMBASSY BOGOTA 3899
RUEHBR/AMEMBASSY BRASILIA 7790
RUEHBU/AMEMBASSY BUENOS AIRES 5034
RUEHCV/AMEMBASSY CARACAS 2266
RUEHPE/AMEMBASSY LIMA 2370
RUEHMD/AMEMBASSY MADRID 3337
RUEHMN/AMEMBASSY MONTEVIDEO 4437
RUEHQT/AMEMBASSY QUITO 4911
RUEHSG/AMEMBASSY SANTIAGO 9501
RUEHUB/USINT HAVANA 0171
RHMFISS/HQ USSOUTHCOM MIAMI FL
RUMIAAA/USCINCSO MIAMI FL
RHEHNSC/NSC WASHINGTON DC

C O N F I D E N T I A L LA PAZ 000523

SIPDIS

SIPDIS

E.O. 12958: DECL: 02/27/2017

TAGS: [ECON](#) [PGOV](#) [PREL](#) [BL](#)

SUBJECT: CONSTITUENT ASSEMBLY: TIME IS NOT ON ITS SIDE

REF: LA PAZ 444

Classified By: Ecopol Counselor Andrew Erickson for reasons 1.4 (b) and (d).

SUMMARY

11. (C) Summary: Opposition Constituent Assembly (CA) member Carlos Goitia told poloff February 23 that although the CA is not likely to complete its work within its one year mandate, he thinks President Morales' Movement Toward Socialism (MAS) party will oppose an extension. Press reports from February 24-25 highlighted a GOB CA proposal to replace the Constitutional Tribunal with a "superpower," with popularly elected judges who would control all constitutional matters. Press reports also cite a GOB proposal to withdraw recognition of Catholicism as Bolivia's official religion, relegating religious organizations to the same status as NGOs; this proposal seems to have strong support from Protestant groups. On autonomy and geopolitical organization, the GOB seems to want to halt the process toward increased departmental autonomy. With respect to Bolivia's territorial divisions, there are many different proposals in play, including proposals for new sub-level governments (called Indigenous- Originary Territorial Entities, somewhat analogous to U.S. Indian Reservations), a tenth department in Bolivia's Chaco, an eleventh department carved out of northern La Paz, or 38 departments to correspond to Bolivia's officially recognized indigenous communities. Meanwhile, rumors persist of GOB plans to eliminate presidential term limits, nationalize all natural resources, and eliminate departmental and municipal governments. The bottom line is that the GOB is continuing to explore the limits of the public's appetite for the more radical elements of the MAS agenda, while pulling back when resistance seems insurmountable. End summary.

LOST TIME

12. (C) Podemos Constituent Assembly (CA) delegate and former Minister of Justice (2001-2002) Carlos Goitia told poloff

February 23 that although the CA is not likely to complete its work within its one year mandate, he thinks President Morales' Movement Toward Socialism (MAS) party will oppose an extension. Under the schedule announced last week, all commissions will present their reports to the plenary April 1-30, voting will take place May 1-June 15, the "consensus" commission will resolve disputes on controversial articles June 16-July 2, and voting on the final text will occur July 3-25, with the delivery of the new constitution by August 6. Goitia said this timeline favors the MAS, which he says is confident about getting its draft articles approved by popular referendum if the CA fails to reach consensus. For that reason, Goitia said, the MAS does not seem inclined to extend the CA's one year term. Goitia believed that the MAS has four different constitutional proposals, ranging from selected changes to a complete revision, and that it will choose whatever option time permits. Goitia said social sectors were supposed to have traveled to Sucre to give the CA their views on constitutional changes in February, but had not yet started this process. With that in mind, he said the CA would likely continue to operate behind schedule, as the commissions would have to hold these "hearings" and prepare their reports in March. (Note: Given that CA representatives spend one week per month in their home regions, the CA would have approximately 15 business days in session in March).

JUDICIAL AND RELIGIOUS REFORM

13. (SBU) Press articles from February 24-25 highlighted a GOB CA proposal to replace the Constitutional Tribunal (CT) with a "superpower" that would control all constitutional matters.

Under the proposal, the court's judges would be popularly elected and could also be removed by referendum, as foreshadowed by the CT in mid-February (reftel). The proposal emphasizes an "extended and effective social control of the judicial power by social organizations." The political opposition has said the proposal, if implemented, would politicize the judicial system and create instability, opening the door to a "totalitarian state."

14. (SBU) The press also reported that under the GOB's CA proposal, the state would not recognize any religion. (Note: The current constitution recognizes Catholicism as the official religion). Moreover, the proposal provides that religious organizations would be relegated to the same standing as NGOs and would not have tax exemptions. There is some support for this move among Bolivia's rapidly growing Protestant religious movements, well-represented among the indigenous, who are frustrated with Catholicism's religious monopoly.

AUTONOMY/ORGANIZATION OF THE STATE

15. (SBU) Another GOB proposal for the new constitution indicates that the government may want to be able to halt the process toward increased departmental autonomy if the national interest so requires. Instead of using the word "autonomy," the GOB proposes suggests using the term "decentralization" in the new constitution. The idea seems to be to fragment the power of autonomous departments by creating sub-autonomous units on ethnic grounds that would likely be better disposed to the MAS project.

16. (SBU) On Bolivia's territorial divisions, there are many different proposals in play. One GOB proposal would replace Bolivia's prefects (governors) with new sub-level governments, or Indigenous- Originary Territorial Entities (ETIOs) analogous to U.S. Indian Reservations. (Note: To constitute an ETIO, a region would have to have 10,000 inhabitants and one to twenty percent of the national territory). As a member of the CA commission which is examining Bolivia's territorial divisions, Goitia said the movement for a tenth department (Bolivia's Chaco) has substantial support; another for an eleventh department

carved out of northern La Paz department does not. Goitia thought Vice President Alvaro Garcia Linera had consistently supported reorganization around Bolivia's 38 officially recognized indigenous communities. Goitia said Garcia Linera wants to "Balkanize" Bolivia.

COMMENT

17. (C) Now that the CA is moving from procedural questions to the actual challenge of drafting a new constitution, CA members are confronting for the first time the practical work of addressing the MAS vision. The suggested move away from Catholicism as the state religion, for example, is in deference to indigenous practices and the growth of Protestantism and has been discussed widely in the context of educational reform. (Note: We continue to advocate for independence in setting the curriculum in private schools). Meanwhile, rumors persist about additional GOB plans for the new constitution, with speculation about lifting presidential term limits, nationalizing all natural resources, and eliminating departmental and municipal governments. The reality is that President Morales and his inner circle will continue to explore the limits of Bolivia's appetite for some of the more radical elements of the MAS agenda. Experience to date has shown the GOB ready to retreat at the signs of fierce public opposition. Nonetheless, the GOB's temptation to use the CA to permanently consolidate the MAS revolution will be strong throughout the rest of this process. End comment.
URS